

Assembly Hearing Slip

(Please print plainly)

Date: 2/9/95
 Bill No. AB124
 Or
 Subject _____

(Name) Paul Zimmerman
 (Street Address or Route Number) 7010 Mineral Point Road
 (City & Zip Code) Madison WI 53705
 (Representing) Farm Bureau

Speaking in favor: ☐
 Speaking against: ☐
 Registering in favor: ☒
 Registering against: ☐
 Speaking for information only; Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 210 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb 9, 1995
 Bill No. AB124
 Or
 Subject _____

(Name) Robert Branstetter
 (Street Address or Route Number) 5300 Warm Lake Rd
 (City & Zip Code) East Prairie, Wis 54521
 (Representing) Wisconsin Independent Growers Dealer and auction markets

Speaking in favor: ☒
 Speaking against: ☐
 Registering in favor: ☐
 Registering against: ☐
 Speaking for information only; Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 210 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb. 9, 1995
 Bill No. AB124 (LRB-2657/1)
 Or
 Subject _____

(Name) Dr. Tom Howard, DVM
 (Street Address or Route Number) 2811 Agriculture Dr.
 (City & Zip Code) Madison, 53708
 (Representing) DATEP

Speaking in favor: ☒
 Speaking against: ☐
 Registering in favor: ☐
 Registering against: ☐
 Speaking for information only; Neither for nor against: ☐

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Assembly Sergeant at Arms
 Room 210 West
 State Capitol
 Madison, WI 53702

AB124

Assembly Hearing Slip

(Please print plainly)

Date: 2-9-95

Bill No. LRB 2657/1 (AB 124)

Or Subject _____

(Name) NEALE JONES

(Street Address or Route Number) N 323 Wood Rd

(City & Zip Code) WATERLOO 53098

(Representing) Equality Cooperative Network Sides Ass'n.

Speaking in favor: ☒

Speaking against: ☐

Registering in favor: ☐

Registering against: ☐

Speaking for information only; Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb. 8, 1995

Bill No. AB 124

Or Subject _____

(Name) Rep. Judy Klusman

(Street Address or Route Number) _____

(City & Zip Code) _____

(Representing) _____

Speaking in favor: ☒

Speaking against: ☐

Registering in favor: ☐

Registering against: ☐

Speaking for information only; Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-9-95

Bill No. LRB 2657/1

Or Subject (Call Marking)

(Name) John Mense

(Street Address or Route Number) 30 W. M. F. Rd.

(City & Zip Code) Madison 53703

(Representing) WI Federation of Co-ops

Speaking in favor: ☒

Speaking against: ☐

Registering in favor: ☐

Registering against: ☐

Speaking for information only; Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/9/95
Bill No. 95.51 (AB124)
Or
Subject _____

R.F. (Dick) Hauser
(Name)
632 Grand Canyon Dr.
(Street Address or Route Number)
Madison, WI 53719
(City & Zip Code)
Wisconsin Cattlemen's
(Representing)

Speaking in favor: ☐
Speaking against: ☐
Registering in favor: ☐
Registering against: ☐
Speaking for information only;
Neither for nor against: ☒

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/9/95
Bill No. AB124
Or
Subject Ewings

Sheryl Abers
(Name)
(Street Address or Route Number)
(City & Zip Code)
50th
(Representing)

Speaking in favor: ☐
Speaking against: ☐
Registering in favor: ☒
Registering against: ☐
Speaking for information only;
Neither for nor against: ☐

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 3-9-95
Bill No. AB 124
Or
Subject Repeal Cattle Marketing

Russ Waisner
(Name)
2317 International hwy #11
(Street Address or Route Number)
Madison 53704
(City & Zip Code)
WI Agribusiness Council
(Representing)

Speaking in favor: ☐
Speaking against: ☐
Registering in favor: ☒
Registering against: ☐
Speaking for information only;
Neither for nor against: ☐

Please return this slip to a messenger promptly

Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Assembly Committee on Agriculture

DATE 2/9/95

Moved by Baldus

Seconded by Olsen

AB 124

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

A _____

SR _____

Other _____

☒ A S Amdt. 1

A/S Amdt. _____ to A/S Amdt. _____

A/S Sub Amdt. _____

A/S Amdt. _____ to A/S Sub Amdt. _____

A/S Amdt. _____ to A/S Amdt. _____ to A/S Sub Amdt. _____

Be recommended for:

☐ Passage

☒ Introduction

☐ Adoption

☐ Rejection

☐ Indefinite Postponement

☐ Tabling

☐ Concurrence

☐ Nonconcurrence

☐ Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford	X			
6.	Skindrud, Richard	X			
7.	Hahn, Eugene	X			
8.	Olsen, Luther	X			
9.	Gronemus, Barbara	X			
10.	Baldus, Al	X			
11.	Reynolds, Martin	X			
12.	Springer, Thomas	X			
13.	Wilder, Michael	X			
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		14	0		

MOTION CARRIED ☒

MOTION FAILED ☐

Assembly Committee on Agriculture

DATE 2/9/95

Moved by Ainsworth

Seconded by Zukowski

AB 124

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

A _____

SR _____

Other _____

☒ A/S Amdt 1

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

☐ Passage

☐ Introduction

☒ Adoption

☐ Rejection

☐ Indefinite Postponement

☐ Tabling

☐ Concurrence

☐ Nonconcurrence

☐ Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford	X			
6.	Skindrud, Richard	X			
7.	Hahn, Eugene	X			
8.	Olsen, Luther	X			
9.	Gronemus, Barbara	X			
10.	Baldus, Al	X			
11.	Reynolds, Martin	X			
12.	Springer, Thomas	X			
13.	Wilder, Michael	X			
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		14	0	0	0

MOTION CARRIED ☒

MOTION FAILED ☐

Assembly Committee on Agriculture

DATE 2/9/95

Moved by ~~Gronemus~~ Olsen

Seconded by Zukowski

AB 124 SB _____

Clearinghouse Rule _____

AJR _____ SJR _____

Appointment _____

A _____ SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

☒ Passage

☐ Introduction

☐ Adoption

☐ Rejection

☐ Indefinite Postponement

☐ Tabling

☐ Concurrence

☐ Nonconcurrence

☐ Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford	X			
6.	Skindrud, Richard	X			
7.	Hahn, Eugene	X			
8.	Olsen, Luther	X			
9.	Gronemus, Barbara		X		
10.	Baldus, Al	X			
11.	Reynolds, Martin	X			
12.	Springer, Thomas	X			
13.	Wilder, Michael	X			
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		13	1		

MOTION CARRIED ☒

MOTION FAILED ☐



WISCONSIN FEDERATION OF COOPERATIVES • 30 West Mifflin Street, Suite 401 • Madison, WI 53703 • Phone (608) 258-4400

FEBRUARY 8, 1995

TO: MEMBERS, ASSEMBLY COMMITTEE ON AGRICULTURE
FROM: JOHN MANSKE, DIRECTOR OF GOVERNMENT RELATIONS
RE: SUPPORT FOR LRB 2657/1 (MANDATORY CALF MARKING REPEAL)

The Wisconsin Federation of Cooperatives (WFC) is a trade association that represents 735 cooperatives of all types. **On behalf of WFC and our member Equity Cooperative Livestock Sales Association, I urge you to support the bill offered by Representative Judy Klusman that would repeal the mandatory calf marking law.** Equity Cooperative Livestock Sales Association operates nine public auction markets in Wisconsin and they have 52,000 producer-members. They are the largest livestock sales business in Wisconsin and they market calves through all nine sales facilities.

In the waning days of the 1991-1992 legislative session the bill that became Wisconsin Act 201 received its final changes during the normal rush of activity that precedes the adjournment of the final legislative floorsession in a session. Those of us who didn't feel then that the markets needed a mandated new responsibility feel today that the time is appropriate for the repeal of the mandatory calf marking law found in s. 95.51, Wisconsin Statutes.

Among the reasons that the current proposal should be advanced are:

- The goal of Act 201 was to identify "stressed" calves, while the real world situation pointed to growers that utilized skilled order buyers and refused to accept bad quality calves when order buyers purchased such calves as being the best solutions to calf quality problems in the sales arena.
- The existing law does not fit the market reality. The law requires that markets apply marks at the market site, contrary to current practice where livestock truckers often work as market agents and tag calves when picked up at the farm.

- The law prohibits markets and dealers from selling calves originating from outside Wisconsin unless a mark has been applied to them. However, markets and dealers often have no way of knowing whether a calf was originally purchased from outside Wisconsin.
- Any government mandated responsibility is going to cost someone something. The current law, if fully implemented, would be an added cost in a market which has weakened in Wisconsin. Both the increased importation of calves into Wisconsin, and the decrease in market value of veal calves have presented increased challenges to Wisconsin calf market activity.
- The current law, and the administrative rules that were drafted to implement the law, have not drawn any significant visible support across Wisconsin. In fact, it has been just the opposite. At five public hearings that DATCP held on the draft administrative rule, over 1200 comments were received. Of those, only three were supportive of the rule, according to DATCP.

For these reasons I encourage to support this proposal. Thank you for your consideration of this matter.



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Alan T. Tracy, Secretary

PO Box 8911
Madison, Wisconsin 53708-8911

Hearing Testimony
Assembly Agriculture Committee
Room 417 North
February 9, 1995

Chairman Ott and Committee Members:

My name is Dr. Tom Howard, administrator of the Animal Health Division in the Department of Agriculture, Trade and Consumer Protection.

The Department is testifying today in support of LRB-2657/1 and its companion, Senate Bill 8, and wishes to express its appreciation to Representative Judy Klusman and Senator Alan Lasee for initiating this legislation.

Background

1991 WI Act 201 was enacted at the urging of the Wisconsin Veal Growers Association to require that calves be marked each time they are sold. The intent was to provide an "odometer" for calves being marketed for sale to help identify "stale" calves stressed from multiple sales transactions. The calf marking law required the Department to develop rules specifying the system of marking that would be used by both livestock markets and dealers at the time of sale.

As required by 1991 WI Act 201, the Department established a Calf Marking Study Committee to develop recommendations for the required method of marking calves. The advisory committee recommended both ear notching and backtagging as the marking methods. Backtagging was selected as the required marking method due to Department and industry concerns regarding ear notching.

In January 1993, the Board of Agriculture, Trade and Consumer Protection authorized public hearings on a proposed permanent rule, and approved several changes to Wisconsin's calf marking law to improve its workability for implementing a calf backtagging requirement. At the same time, the Board approved an emergency rule implementing the backtagging requirement for a 150-day period as required under 1991 WI Act 201.

The Department held four public hearings on the proposed permanent calf marking rule. Public comment was overwhelmingly negative. Industry implementation of the emergency rule also proved difficult. Proposed statutory changes recommended by the Department were presented to key legislators. Instead,

legislation was passed by the Senate in May 1993 to repeal the calf marking law.

During the past two years, the Board had deferred consideration of a permanent calf marking rule pending the outcome of legislation to repeal or alter the current calf marking law. The preference of the Department and the Board of Agriculture, Trade and Consumer today is to repeal this well-intentioned but unworkable statute.

Analysis

During four meetings of the Veal Calf Marking Advisory Committee, numerous methods of cattle identification were evaluated, including paint markers, inks and dyes, freeze branding, electronic implants, shearing and ear notching, and backtags. At the time, the Wisconsin Veal Growers Association continued to promote ear notching as the preferable method of marking calves at the point of sale.

Others on the committee and within industry opposed ear notching because of the costs and inefficiencies of such a system within the hurried environment of a livestock market sale, in addition to humane concerns and the possible risk of spreading disease which could add to calf stress.

Backtagging was added as an option by the committee because of its familiar use as a component of federal tuberculosis and brucellosis disease surveillance and control efforts, its ease of application, and low cost.

During the rule development process and implementation of the final emergency rule, the Department identified a number of specific concerns with the requirements of s. 95.51, Stats., relative to calf marking.

1. The statute requires that markets apply backtags at the market site, contrary to current practice in which livestock truckers often work as market agents and tag calves when picked up at the farm.
2. Current law requires that markets tag calves after the sale which is contrary to current backtagging practices.
3. The statute prohibits markets and dealers from selling calves originating from out-of-state unless a mark has been applied to them. This creates a problem because markets and dealers often have no way of knowing whether a calf was originally purchased out-of-state.
4. The statute does not differentiate between different intended uses for calves. Permanent marking would substantially lower the value of calves sold at purebred consignment sales.

5. The statute created an inconsistency in which dealers taking calves directly to market must mark their calves, while calves transported to markets by truckers would arrive at the markets unmarked.

During public hearings on the Department's proposed calf marking rule, more than 1,200 verbal and written comments were expressed on the issue. Only three comments were classified as supportive of the rule.

Criticism focused on the fact that the current system for buying and selling calves is inconsistent with the requirements of the proposed rule and the calf marking law. Many also noted that the problems of "cattle jockeying" can be best addressed through better awareness by veal growers of certain order buyer practices and the refusal by growers to contract with these individuals.

Given its current experience with implementing the calf marking law and based on the results of public hearings, the Department recommends support for legislation before you today to repeal s. 95.51, Stats.